

281—41.1012(17A,256B) Record.

41.1012(1) *Open hearing.* Parents involved in hearings shall be given the right to open the hearing to the public. The hearing shall be recorded by mechanized means or by certified court reporters. Any party to a hearing or an appeal has the right to obtain a written or, at the option of the parents, electronic, verbatim record of the hearing and obtain written or, at the option of the parents, electronic findings of fact and decisions. The record of the hearing and the findings of fact and decisions described in this rule must be provided at no cost to parents.

41.1012(2) *Transcripts.* All recordings or notes by certified court reporters of oral proceedings or the transcripts thereof shall be maintained and preserved by the department for at least five years from the date of decision.

41.1012(3) *Hearing record.* The record of a hearing shall be maintained and preserved by the department for at least five years from the date of the decision. The record under this division shall include the following:

- a.* All pleadings, motions and intermediate rulings.
- b.* All evidence received or considered and all other submissions.
- c.* A statement of matters officially noted.
- d.* All questions and offers of proof, objections and rulings thereof.
- e.* All proposed findings and exceptions.
- f.* Any decision, opinion or report by the administrative law judge presented at the hearing.